

JEROME POWELL,  
Register No. 40629,  
  
Plaintiff,  
  
v.  
  
LARRY CRAWFORD, et al.,  
  
Defendants.

On August 25, 2005, the United States Magistrate Judge recommended that plaintiff be denied leave to proceed in forma pauperis, pursuant to 28 U.S.C. § 1915(g), on his claims regarding double celling, issuance of conduct violations, and claims against defendants Missouri Department of Corrections Director Larry Crawford; Discipline Hearing Officer Edward Ruppel and Missouri Attorney General Jeremiah Nixon, because plaintiff has had three or more cases dismissed as frivolous or for failure to state a claim. The parties were advised they could file written exceptions to the recommendation, pursuant to 28 U.S.C. § 636(b)(1)(C).

The court has conducted a de novo review of the record<sup>1</sup>, including the exceptions filed by plaintiff on September 1, 2005. The issues raised in plaintiff's exceptions were adequately addressed in the report and recommendation. The court is persuaded that the recommendation of the Magistrate Judge is correct and should be adopted.

IT IS, THEREFORE, ORDERED that plaintiff is denied leave to proceed in forma pauperis, pursuant to 28 U.S.C. § 1915(g), on his claims regarding double celling, issuance of conduct violations, and claims against defendants Missouri Department of Corrections Director Larry Crawford; Discipline Hearing Officer Edward Ruppel and Missouri Attorney

<sup>1</sup>Court proceedings, if any, are recorded by electronic recording equipment and the tapes are available for review by the court and counsel.

General Jeremiah Nixon, because plaintiff has had three or more cases dismissed as frivolous or for failure to state a claim.

/s/

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NANETTE K. LAUGHREY  
United States District Judge

Dated: December 21, 2005  
Jefferson City, Missouri